

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

MICHAEL E. WOLFE,)	C/A No. 4:18-1350-TMC-TER
)	
)	
Plaintiff,)	
)	
vs.)	
)	ORDER
NFN. RYNOLDS,)	
NFN. SHARP,)	
NFN ROGERS,)	
NFN McCULLOUGH,)	
NFN. RICHARDSON, et al.,)	
)	
Defendants.)	
)	

This is a civil action filed *pro se* by Michael E. Wolfe (“Plaintiff”). This matter is currently before the court on numerous motions to compel filed by the Plaintiff. In each of the motions, Plaintiff does not deny that the Defendants responded to the discovery but argues that the answers were not sufficient. The court has reviewed the motions and the responses.

The Defendants indicate at times that “they do not remember.” In many circumstances, that may be an inadequate response pursuant to Fed.R.Civ.P. 33 and 34. “Each interrogatory must, to the extent it is not objected to, be answered separately and fully in writing under oath.” See Fed.R.Civ.P. 33(b)(3). “The grounds for objecting to an interrogatory must be stated with specificity.” See Fed.R.Civ.P. 33(b)(4). “If a party is unable to supply the requested information, the party may not

simply refuse to answer, but must state under oath that he is unable to provide the information and ‘set forth the efforts he used to obtain the information.’” Hansel v. Shell Oil Corp., 169 F.R.D. 303, 305 (E.D.Pa. 1996) quoting Milner v. National School of Health Tech., 73 F.R.D. 628, 632 (E.D.Pa.1977). If only some of the information is available, that information must be provided, and may be prefaced with a statement placing the answer in context. As to Request for Production of Documents, “For each item or category, the response must either state that inspection and related activities will be permitted as requested or state with specificity the grounds for objecting to the request, including the reasons.” Fed.R.Civ.P. 34(2). A party must produce all discoverable documents or things responsive to a request that in the party’s possession, custody, or control.

Therefore, the following Motions to Compel are granted in part, and the Defendant(s)¹ are to provide the Plaintiff with supplemental responses to the discovery pursuant to Fed. R. Civ. P. 33 and 34 as listed below, within ten days from the date of this order:

1. ECF No.107: Interrogatories Nos. 9, 10,
2. ECF No.108: Interrogatories Nos. 3, 9, 19

¹ Plaintiff’s Motions to Compel are each directed to a different Defendant(s). Defendants must provide supplemental responses accordingly.

3. ECF No.109: Interrogatories Nos. 2, 10
4. ECF No.110: Interrogatories Nos. 10(part 1), 20,
5. ECF No. 111: Interrogatories Nos. 8, 12
6. ECF No. 112: Interrogatories Nos. 2, 4, 9, 12, 21
7. ECF No. 149: Request for Production Nos. 14, 16, 17,
8. ECF No. 151: Interrogatories No. 21,
9. ECF No. 188: Interrogatories Nos. 20(part 2), 21 (part 1), 22 (parts 1 and 2), 23 (parts 1 and 2).
10. ECF No. 230: Interrogatory No. 1
11. ECF No. 231: Interrogatories Nos. 17, 18
12. ECF No. 232: Interrogatories Nos. 18, 19,

Because the Defendants' responses are adequate as to the following discovery requests, the Motions to Compel are denied in part as follows:

1. ECF No. 108: Interrogatories Nos. 1, 2, 4
2. ECF No. 109: Interrogatories Nos. 6, 7, 8,
3. ECF No. 110: Interrogatories Nos. 7, 11
4. ECF No. 111: Interrogatories No. 7,
5. ECF No. 112: Interrogatories No. 7
6. ECF No. 149: Request to Produce Nos. 15, 18,
7. ECF No. 150: Interrogatories Nos. 1,4, 5, 6, 8,

8. ECF No. 151: Interrogatories Nos. 22
9. ECF No. 186: Interrogatories Nos. 15(part 2), 17, 18,
10. ECF No. 187: Interrogatories Nos. 18(a) & (b), 19 (a) & (b), 21
11. ECF No. 230: Interrogatories Nos. 2, 4
12. ECF No. 231: Interrogatories Nos. 14, 15, 16
13. ECF No. 232: Interrogatories Nos. 13,14,15,16,17

Plaintiff's Motions to Compel ECF Nos. 94 and 95 are denied without prejudice. Plaintiff did not attach a copy of the relevant discovery requests and responses in accordance with Local Civil Rules 37.01(B) and 7.04, D.S.C. However, Plaintiff may re-file these two motions within ten days of the date of this order in compliance with Local Civil Rules 37.01(B) and 7.04, D.S.C.

IT IS SO ORDERED.

April 19, 2019
Florence, South Carolina

s/Thomas E. Rogers, III
Thomas E. Rogers, III
United States Magistrate Judge